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COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 20

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. François-Xavier NGOUBEYOU

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* Document E/CN.4/1992/L.20 and addenda contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, are contained in document E/CN.4/1994/L.11 and addenda.

XX. IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF

1. The Commission considered agenda item 20 at its 19th to 23rd meetings, from 11 to 15 February, and at its 42nd meeting, on 25 February 1994. 1/

2. The Commission had before it the following documents:

Report submitted by Mr. Abdelfattah Amor, Special Rapporteur, in accordance with Commission on Human Rights resolution 1993/25 (E/CN.4/1994/79);

Report of the Secretary-General (E/CN.4/1994/80);

Letter dated 24 January 1994 from the Permanent Representative of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the forty-ninth session of the Commission on Human Rights (E/CN.4/1994/105);

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1994/NGO/10).

3. At the Commission's 19th meeting, on 11 February 1994, the Special Rapporteur, Mr. Abdelfattah Amor, introduced his report (E/CN.4/1994/79).

4. In the general debate on item 20, statements 3/ were made by the following members of the Commission: Bulgaria (22nd), China (21st), India (21st), Indonesia (21st), Italy (21st), Nigeria (21st), Pakistan (22nd), Russian Federation (21st).

5. The Commission also heard statements by the observers for: Albania (21st), Iraq (22nd), Ireland (22nd), Myanmar (22nd), Holy See (21st).

6. The Commission also heard statements by representatives of the following non-governmental organizations: Baha'i International Community (20th), Christian Democratic International (23rd), International Association for the Defence of Religious Liberty (20th), International Federation of Human Rights (20th), International Fellowship of Reconciliation (21st), Pax Christi (21st), Pax Romana (20th), World Jewish Congress (20th), World Movement of Mothers (23rd).

7. A joint statement was made by the International Organization for the Development of Freedom of Education and the World University Service (23rd).

8. Statements in exercise of the right of reply or an equivalent right were made by the following delegations: Bangladesh (22nd), Sudan (22nd), India (22nd), Pakistan (22nd), Viet Nam (22nd).

9. At the 23rd meeting, on 15 February 1994, the Special Rapporteur, Mr. Abdelfattah Amor, presented his conclusions.

10. At the 42nd meeting, the Commission took up consideration of draft resolutions submitted under agenda item 20.

11. The representative of Ireland introduced draft resolution E/CN.4/1994/L.26, sponsored by the following countries: Albania*, Argentina*, Australia, Austria, Belgium*, Bulgaria, Canada, Chile, Costa Rica, Croatia*, Czech Republic*, Denmark*, Finland, Germany, Hungary, Ireland*, Italy, Latvia*, Liechtenstein*, Netherlands*, New Zealand*, Norway*, Poland, Portugal*, Romania, Russian Federation, Sweden*, Switzerland*, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela. Subsequently, Cyprus*, France, Greece*, Iceland*, Luxembourg*, Malta*, Philippines*, Slovakia, Spain, Tunisia and the United States of America joined the sponsors of the draft resolution.

12. The representative of Ireland orally revised the draft resolution by placing the word "contributions", in operative paragraph 20, in the singular.

13. The representative of Malaysia proposed that the draft resolution should be amended as follows:

(a) In the first preambular paragraph and in operative paragraph 3, the word "all" should be inserted before "human rights";

(b) In operative paragraph 13, the words "and to recommend appropriate remedial measures, including the provision of advisory services by the Centre for Human Rights" should be deleted.

14. The representative of the Syrian Arab Republic proposed that the draft resolution should be amended by deleting the words "of persons" after the word "groups", in the twelfth preambular paragraph and in operative paragraph 11.

15. The representative of India proposed that the draft resolution should be amended by deleting the phrase "including the provision of advisory services by the Centre for Human Rights", in operative paragraph 13.

16. The representatives of China, Ireland, Malaysia, Nigeria, the Russian Federation and the Syrian Arab Republic made statements in connection with the draft resolution and the proposed amendments.

17. Under rule 50 of the rules of procedure of the functional commissions of the Economic and Social Council, the representative of the United States of America moved that the Commission should close the debate and take a decision on the draft resolution.

18. Under rule 48 of the rules of procedure of the functional commissions of the Economic and Social Council, the representative of China moved that the meeting should be suspended. The motion was put to the vote and adopted by 28 votes to 16, with no abstentions.

19. At the same meeting, the Commission resumed the consideration of draft resolution E/CN.4/1994/L.26.

20. The representative of Ireland orally revised the draft resolution as follows:

(a) In the first preambular paragraph and in operative paragraph 3, the word "all" was inserted before "human rights";

(b) In operative paragraph 13, the phrase "including the provision of advisory services by the Centre for Human Rights" was deleted;

(c) A new paragraph 17 was inserted after operative paragraph 16 and the remaining paragraphs renumbered accordingly. The new paragraph read:

> "Encourages the Special Rapporteur to consider whether the programme of advisory services in the field of human rights might be of assistance in certain situations, at the request of States, and to make appropriate recommendations in this regard";

(d) In the twelfth preambular paragraph and in operative paragraph 11, the words "of persons" after the word "groups" were deleted.

21. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 2/ of the draft resolution.

22. The draft resolution, as orally revised, was adopted without a vote.

23. For the text as adopted, see chapter II, section A, resolution 1994/18.

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COMMISSION ON HUMAN RIGHTS
Fiftieth session
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DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. François-Xavier NGOUBEYOU

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XXI.	Drafting of a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms		

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XXI. DRAFTING OF A DECLARATION ON THE RIGHT AND RESPONSIBILITY OF INDIVIDUALS, GROUPS AND ORGANS OF SOCIETY TO PROMOTE AND PROTECT UNIVERSALLY RECOGNIZED HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

... The Commission considered agenda item 21 at its 63rd and 67th meetings, on 8 and 10 March 1994. 1/

... The Commission had before it the report of the Working Group on its ninth session (E/CN.4/1994/81).

... At the 67th meeting, the Chairman-Rapporteur of the working group to draft a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms, Mr. Jan Helgesen, introduced the working group's report (E/CN.4/1994/81) to the Commission.

... In the general debate on item 21, statements were made by the following members of the Commission: Chile (67th), Poland (63rd), United States of America (67th).

... At the 67th meeting, the Commission heard a statement by the observer for Norway (on behalf of Denmark, Finland, Iceland, Norway and Sweden).

... At the 67th meeting, the Commission also heard a statement by the International Association of Educators for World Peace.

... At the 63rd meeting, a joint statement was made by the International Federation of Human Rights on behalf of the following non-governmental organizations: Amnesty International, Baha'i International Community, Human Rights Watch, International Commission of Jurists, International Federation of Human Rights Leagues, International Human Rights Law Group, International Service for Human Rights, Lawyers' Committee for Human Rights.

... At the 67th meeting, the observer for Norway introduced draft resolution E/CN.4/1994/L.89, sponsored by Australia, Austria, Canada, Chile, Costa Rica, the Czech Republic*, Denmark*, Finland, Germany, Iceland*, the Netherlands, Nicaragua*, Norway*, the Philippines*, Poland, Portugal*, Romania, the Russian Federation, Senegal*, Sweden*, Switzerland*, the Syrian Arab Republic, Turkey* and the United Kingdom of Great Britain and Northern Ireland. Belgium, Cameroon, Greece, Nigeria, Tunisia, Slovakia, Ukraine and the United States of America subsequently joined the sponsors of the draft resolution.

... The representatives of Norway and the Sudan made statements in connection with the draft resolution.

... In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 2/ of the draft resolution.

... The representative of Cuba made a statement before the vote in explanation of his delegation's position.

... The draft resolution was adopted without a vote.

... For the text as adopted, see chapter II, section A, resolution 1994/96.